

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Before the court is defendants U.S. Bank, N.A. and Deutsche Bank National Trust’s (collectively “defendants”) motion to dismiss. Doc. #12.¹ Plaintiff Paul G. Kahn (“Kahn”) filed an opposition (Doc. #23) to which defendants replied (Doc. #27).

In December 2004, Kahn purchased real property through a mortgage note and deed of trust originated by defendant Downey Savings and Loan Association (“Downey”). Kahn defaulted on the mortgage and defendants initiated non-judicial foreclosure proceedings. Subsequently, Kahn filed a complaint against defendants (Doc. #7) to which defendants filed the present motion to dismiss (Doc. #12).

The court has reviewed Kahn's complaint and finds that it fails to state a single cause of action upon which relief can be granted. Kahn's complaint is a rambling diatribe of accusations and

¹ Refers to the court's docket entry number.

1 the history of his mortgage. In his complaint, Kahn does not set out any direct causes of action but
2 simply cites to various state statutes and the Uniform Commercial Code without context. As such,
3 the court is unclear as to what exactly Kahn is alleging. Therefore, the court shall grant defendants'
4 motion to dismiss, dismiss Kahn's present complaint, and grant Kahn leave to file an amended
5 complaint that sets out specific causes of action upon which this court can rule.

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7 IT IS THEREFORE ORDERED that defendants' motion to dismiss (Doc. #12) is
8 GRANTED. Plaintiff's complaint (Doc. #7) is DISMISSED in its entirety.

9 IT IS FURTHER ORDERED that plaintiff shall have thirty (30) days to file an amended
10 complaint.

11 IT IS FURTHER ORDERED that defendants' motion to supplement motion to dismiss
12 (Doc. #40) is DENIED as moot.

13 IT IS SO ORDERED.

14 DATED this 21st day of May, 2012.



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17 LARRY R. HICKS
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UNITED STATES DISTRICT JUDGE